UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/708,146	TOBLER ET AL.
	Examiner	Art Unit	
	Jeffrey R. West	2857	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 May 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33, 35-43, 46-53, 55-58, 60 and 61* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33, 35-43, 46-53, 55-58, 60 and 61* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>11 January 2007</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)　　　　　　　　　　Office Action Summary　　　　　　　　　　Part of Paper No./Mail Date 20070805

DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Response to Amendment

2. The Examiner notes that in the amendment to the specification filed January 11, 2007, the paragraph numbers provided by Applicant correspond to one less than the paragraph numbers in the specification as originally filed. For example, Applicant's amendment paragraph [0090] corresponds to paragraph [0091] of the specification as originally filed.

3. The Examiner also notes that in the amendment to the specification filed January 11, 2007, paragraph [00128], reference character "854" has been changed to ---856--- while "856" has not been underlined to show the change.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "558" (Figure 25). To remedy this, in paragraph [0093], "assignable cause 552" should be changed to ---assignable cause 558---.

5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities:

In paragraph 0104, line 7, reference is made to the GUI pushbutton for inputting

a new workstation model of Figure 31 as "668" while Figure 31 shows "668" as a

GUI pushbutton for inputting a new workstation and "664" for inputting a new

workstation model.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-11, 13, 15-17, 19-24, 33, 35-43, 47-51, 53, 56, 57, 60, and 61, are

rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Application

Publication No. 2003/0004656 to Bjornson.

With respect to claim 1, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B), and inputting product quality control measurement data

from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14),

and at least partially correlating the inputted product quality control measurement
data to the information relating to the at least one part and the information related to
the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-
F, 12A-J, 13C, and 13G) and displaying the correlating data on a workstation
communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and
Figures 12A-J, 13C, and 13G).

With respect to claim 2, Bjornson discloses that the inputting information relating
to the at least one part includes inputting least one part type and inputting at least
one specific part and the inputting information relating to the at least one field
includes inputting at least one field group and inputting at least one specific field
(0095, lines 1-5 and Figure 11A-F).

With respect to claim 3, Bjornson discloses inputting information relating to at
least one facility into the computer system (0068, lines 6-7 and Figure 4A)

With respect to claim 4, Bjornson discloses that the at least one part type is
selected from the group consisting of types of components of products (i.e. types of
components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 5, Bjornson discloses that the at least one specific part
includes information that is selected from the group consisting of at least one
product code, and at least one product characteristic information (i.e. product code-
"MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size",
etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 6, Bjornson discloses that the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 7, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of unit of measurement (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14)

With respect to claim 8, Bjornson discloses that the at least one type of unit of measurement is selected from the group consisting of temperature and pressure (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14)..

With respect to claim 9, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one specific unit of measurement (i.e. specific unit of valve measurement, seal temperature, seal pressure, etc.) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 10, Bjornson discloses that the inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of test (i.e. Seal Failure Testing) (Figure 11C)

With respect to claim 11, Bjornson discloses that the inputting the product quality

control measurement data from a plurality of measurement devices includes at least

one specific test. (Pressure Testing of Mechanical Seal) (Figure 11C)

With respect to claim 13, Bjornson discloses that inputting the product quality

control measurement data from a plurality of measurement devices includes

inputting information selected from the group consisting of at least one type of

measurement device (i.e. temperature/pressure gauges) (Figure 11E).

With respect to claim 15, Bjornson discloses viewing the product quality control

measurement data (0095, lines 1-8) utilizing at least one workstation (0116, lines 1-

19).

With respect to claim 16, Bjornson discloses that the at least one workstation is

selected from the group consisting of pocket processors, industrial computers,

programmable logic controllers and personal computers (0105, lines 19-22 and

0119, line 1 to 0120, line 12).

With respect to claim 17, Bjornson discloses that the computer system includes

at least one main server that is able to transmit data with the at least one workstation

through a transmission medium selected from a group consisting of wireless

communication, direct hardwired connection, local area networks, wireless

communication, internet and wide area network (0111, lines 1-16).

With respect to claim 19, Bjornson discloses evaluating the inputted product

quality control measurement data from a plurality of measurement devices with the

computer system in accordance with at least one predetermined test and providing a

notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 20, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing an assignable causes when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 21, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a recommended remedial action when the at least one predetermined test fails (0018, lines 1-19, 0019, lines 1-6, 0118, lines 1-47, and Figure 11C).

With respect to claim 22, Bjornson discloses that the at least one predetermined test includes aspects selected from the group consisting of at least one predetermined target and a corrective action procedure for the at least one predetermined test (i.e. target seal with corrective action) (0018, lines 1-19, 0019, lines 1-6, and Figure 11C)

With respect to claim 23, Bjornson discloses generating reports with the computer system (0092, lines 1-15).

With respect to claim 24, Bjornson discloses that generating reports with the computer system includes reports elected from the group consisting of at least one

corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 33, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part into the computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to at least one field into the computer system (0070, lines 1-5 and Figure 4B) inputting product quality control measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14) viewing the product quality control measurement data (0095, lines 1-8) utilizing at least one workstation (0116, lines 1-19); and evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C), at least one input device for receiving information relating to at least one part (0095, lines 10-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B); and a plurality of measurement devices for receiving product quality control measurement data (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G).

With respect to claim 35, Bjornson discloses that the information relating to the at least one part includes at least one part type and at least one specific part and the information relating to the at least one field includes at least one field type and at least one specific field (0095, lines 1-5 and Figure 11A-F).

With respect to claim 36, Bjornson discloses that the at least one part type is selected from the group consisting of types of components of products (i.e. Types of components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A), wherein the at least one specific part includes information that is selected from the group consisting at least one product code, and at least one product characteristic information (i.e. product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A) and wherein the at least one field type is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 37, Bjornson discloses that the inputted product quality control measurement data that is correlated to the information related to the at least one part (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G) and the information that is related to the at least one field includes information selected from the group consisting of at least one type of unit of measurement (i.e. temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 38, Bjornson discloses at least one workstation (0116, lines 1-19) for viewing the product quality control measurement data (0095, lines 1-8).

With respect to claim 39, Bjornson discloses that the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers (0105, lines 19-22 and 0119, line 1 to 0120, line 12).

With respect to claim 40, Bjornson discloses at least one main server that is able to transmit data with the at least one workstation through a transmission medium selected from a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network (0111, lines 1-16).

With respect to claim 41, Bjornson discloses that the inputted product quality control measurement data is evaluated with the computer system with at least one predetermined test and a notification is provided if the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 42, Bjornson discloses that the computer system generates at least one report (0092, lines 1-15).

With respect to claim 43, Bjornson discloses that the at least one report is selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 47, Bjornson discloses that the computer system generates a response from the group consisting of a recommended remedial action and an assignable cause (0018, lines 1-19 and 0019, lines 1-6).

With respect to claim 48, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); inputting measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating the inputted product quality control measurement data to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one part type is selected from the group consisting of types of components of products (i.e. types of components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 49, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); inputting measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one specific part includes information that is selected from the group consisting of at least one part type, at least one product code, and at least one product characteristic information (i.e. types of components of products- "Type", product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 50, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); inputting measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in process operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 51, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5,

0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G); displaying

the correlating data on a workstation communicable with the computer system

(0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the

inputting measurement data from a plurality of measurement devices includes

inputting at least one type of unit of measurement (i.e. valve/seal temperatures,

pressures, etc.) (0095, lines 1-5 Figure 11A-F, and 0100, lines 9-18 and 0116, lines

10-14); and wherein the at least one type of unit of measurement is selected from

the group consisting of temperature and pressure (i.e. valve/seal temperatures,

pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116,

lines 10-14).

With respect to claim 53, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5,

0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G); and wherein

the inputting measurement data from a plurality of measurement devices includes

inputting information selected from the group consisting of at least one type of

measurement device (i.e. temperature/pressure gauges) (Figure 11E).

With respect to claim 56, Bjornson discloses a method for monitoring facility data

(abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting

information relating to at least one part from at least one input device into the

computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to

at least one field from the at least one input device into the computer system (0070,

lines 1-5 and Figure 4B); inputting measurement data from a plurality of

measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted

measurement data is at least partially correlated to the information related to the at

least one part and the information related to the at least one field (0095, lines 1-5,

0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G); and

evaluating the inputted measurement data from a plurality of measurement devices

with the computer system in accordance with at least one predetermined test and

providing a notification when the at least one predetermined test fails (0018, lines 1-

19, 0118, lines 1-47, and Figure 11C), wherein the at least one predetermined test

includes aspects selected from the group consisting of at least one predetermined

target and a corrective action procedure for the at least one predetermined test (i.e. target seal with corrective action) (0018, lines 1-19, 0019, lines 1-6, and Figure 11C).

With respect to claim 57, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); inputting measurement data from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G); and generating reports with the computer system (0092, lines 1-15), wherein the generating reports with the computer system includes reports selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 60, Bjornson discloses a computer system (0054, lines 1-2) for monitoring facility data (abstract) comprising: at least one input device for receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B); a plurality of measurement devices for receiving measurement data (0100, lines

9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least

partially correlated to the information related to the at least one part and the

information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line

8, and Figures 11A-F, 12A-J, 13C, and 13G), and wherein the inputted

measurement data that is correlated to the information related to the at least one

part and the information that is related to the at least one field includes information

selected from the group consisting of at least one type of unit of measurement (i.e.

temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18

and 0116, lines 10-14).

With respect to claim 61, Bjornson discloses a computer system (0054, lines 1-2)

for monitoring facility data (abstract) comprising: at least one input device for

receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F)

and receiving information relating to at least one field (0070, lines 1-5 and Figure

4B); a plurality of measurement devices for receiving measurement data (0100, lines

9-18 and 0116, lines 10-14), wherein the inputted measurement data is at least

partially correlated to the information related to the at least one part and the

information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line

8, and Figures 11A-F, 12A-J, 13C, and 13G); wherein the computer system

generates at least one report (0092, lines 1-15); and wherein the at least one report

is selected from the group consisting of at least one corrective action report (i.e.

quote report including corrective actions) (0092, lines 1-15).

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 12 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Bjornson in view of U.S. Patent No. 5,473,950 to Peterson.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention, and while the invention of Bjornson does teach selecting at least

one test to be performed, Bjornson does not specifically indicate that the at least one

test is selected from the group consisting of a temperature of a product at a

particular point in processing, inspection for fecal contamination, weight of the

product, percentage of trisodium phosphate solution, verification of critical limits, pre-

shipment verification of product quality, thermometer calibration with comparison

against NST certified standard weight and visual inspections regarding sanitation.

Peterson teaches a process plant sample collection method including a means

for sampling a product being processed to enable testing for pre-shipment

verification of product quality (column 1, lines 39-54).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to specifically indicate that the at least one test is pre-shipment

verification of product quality, as taught by Peterson, because Peterson suggests

that it is common to verify the product quality before it is ready for shipment and one

having ordinary skill in the art would recognize that such pre-shipment testing would

improve the overall system of Bjornson by insuring that a high quality product is

provided to consumers by verifying that the product processing is operating correctly

(column 1, lines 39-54).

11. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson

in view of U.S. Patent No. 5,012,667 to Kruse.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention and while the invention of Bjornson does teach inputting

information relating to at least one type of measurement device comprising at least

one type for a specific measurement device, at least one serial number for a specific

manufacturing device, and at least one indication as to whether or not a specific

measurement device is active (i.e. temperature/pressure gauge types, serial

numbers, active settings and readings) (Figure 11E), Bjornson does not specify

inputting an indication as to whether or not a model of measurement device model

requires two-point calibration.

Kruse teaches an apparatus and method for calibrating a measuring device

comprising means for inputting an indication as to whether or not a model of

measurement device model requires one-point or two-point calibration (column 11,

lines 1-13).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to specify inputting an indication as to whether or not a model

of measurement device model requires two-point calibration, as taught by Kruse,

because, as suggested by Kruse, the combination would have improved the system

of Bjornson by providing the system with in indication of the type of calibration

required for a particular measurement device thereby insuring that the measurement

device is properly calibrated by recalling such an indication when the device is being

calibrated, thereby insuring the accuracy of any resulting measurements (column 11,

lines 1-13)

12. Claims 18, 26, 27, 32, and 55 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bjornson in view of U.S. Patent No. 6,044,154 to Kelly.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention and while the invention of Bjornson does teach a user at a

workstation for entering facility data, Bjornson does not specifically indicate that the

at least one workstation includes associated information from the group consisting of

at least one name of a workstation type, at least one indication as to whether a

workstation type is portable, at least one name of a workstation manufacturer,

contact information for a workstation manufacturer, at least one indication as to

whether a workstation manufacturer is active, at least one name of a workstation

model, at least one name of a workstation model manufacturer, at least one type of

workstation and at least one indication as to whether a workstation model is active,

at least one name of a specific workstation, at least one type of a specific

workstation, at least one serial number for a specific workstation, and at least one

indication as to whether a specific workstation is active or that the user is identified by inputting a user id and personal identification number to create an electronic signature.

Kelly teaches a remote generated device identifier key for use with a duel-key reflexive encryption security system comprising a security system for generating access to a host computer in response to a demand from a remote workstation (column 3, lines 45-47) wherein the remote workstation includes at least one serial number for a specific workstation (column 6, lines 35-38) and the user is identified by inputting a user id and personal identification number to create an electronic signature (column 6, lines 56-67) wherein selective aspects of the computer system can be selectively blocked from view for a user depending on a predetermined security role determined for that user (column 8, lines 26-46)

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson to specifically indicate that the at least one workstation includes associated information from the group consisting of at least one serial number for a specific workstation and that the user is identified by inputting a user id and personal identification number to create an electronic signature, as taught by Kelly, because the invention of Bjornson does teach a user at a workstation for entering facility data and, as suggested by Kelly, the combination would have improved the system of Bjornson by increasing the security of the system to ensure that the user has proper clearance for entering the data and thereby reduce the likelihood of unauthorized users from obtaining/editing the facility data by blocking

access to the system from such unauthorized users (column 1, lines 18-26 and

column 3, lines 27-35).

13. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Bjornson in view of Kelly and further in view of U.S. Patent Application

Publication No. 2003/0236979 to Himmel et al.

As noted above, the invention of Bjornson and Kelly teaches many of the

features of the claimed invention and while the invention of Bjornson and Kelly does

teach inputting product quality control measurement data by a first user that inputs

an associated electronic signature, the combination does not specify that such

entering of product quality control measurement data is verified by a second user.

Himmel teaches group security objects and concurrent multi-user security

objection comprising a client remotely connected over a network (0046, lines 1-7) for

receiving a first user id and password (0049, lines 1-12 and 0053) and further

identifying the identity of the at least one second user by inputting a user id and

password (0108, lines 1-19) to verify that the first user has proper authorization for

access to the protected data (0009, lines 1-15 and 0109, lines 1-11).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson and Kelly to specify that the entering of product quality control

measurement data is verified by a second user, as taught by Himmel, because, as

suggested by Himmel, the combination would have provided increased security to

the system of Bjornson and Kelly thereby insuring the accuracy of the data entered

in such a system by employing dual user security controls as part of a system that does not require extensive recoding (0006, lines 1-14 and 0009, lines 1-15).

14. Claims 25 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view Kelly and further in view of U.S. Patent No. 6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson and Kelly teaches many of the features of the claimed invention and while the invention of Bjornson and Kelly does teach performing at least one test as well as generating a result of such a test and further generating reports with access to the system data controlled by a user's electronic signature, Bjornson does not explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means for providing alarm detection and generation when an input value produced by hardware varies from a user specified normal condition (column 14, lines 18-20, column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Kelly to explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report, as taught by Pascucci, because, as suggested by Pascucci, the combination would have improved the

system of Bjornson and Kelly by generating alarms to indicate to a user that one of

the tests of Bjornson and Kelly has failed to allow the user to take corrective action

as well as provided the user with detailed alarm information for further analysis to

determine system errors with greater efficiency as part of an organized report

(column 63, lines 15-19 and 25-42 and column 65 line 61 to column 66, line 8).

15. Claims 30 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Bjornson in view of U.S. Patent No. 6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention and while the invention of Bjornson does teach performing at least

one test as well as generating a result of such a test and further generating reports,

Bjornson does not explicitly indicate that failure of such a test generates an alarm

and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means

for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means

for providing alarm detection and generation when an input value produced by

hardware varies from a user specified normal condition (column 14, lines 18-20,

column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm

reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to explicitly indicate that failure of such a test generates an

alarm and a corresponding alarm report, as taught by Pascucci, because, as

suggested by Pascucci, the combination would have improved the system of

Bjornson by generating alarms to indicate to a user that one of the tests of Bjornson

has failed to allow the user to take corrective action as well as provided the user with

detailed alarm information for further analysis to determine system errors with

greater efficiency as part of an organized report (column 63, lines 15-19 and 25-42

and column 65 line 61 to column 66, line 8).

16. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson

in view of U.S. Patent Application Publication No. 2003/0120446 to Xie et al.

As noted above, the invention of Bjornson teaches many of the features of the

claimed invention and while the invention of Bjornson does teach monitoring the

operations of a facility utilizing inputted product quality control measurement data,

the combination does not specify generating a statistical process control chart.

Xie teaches a net system and method for quality control comprising means for

measuring data and generating measurement information and a management

module for performing statistical chart analysis to generate a plurality of reports

(0007, lines 1-25), wherein the statistic charts include a statistical process control

chart (0028, lines 1-5).

It would have been obvious to one having ordinary skill in the art to modify the

invention of Bjornson to specify generating a statistical process control chart, as

taught by Xie, because, as suggested by Xie, the combination would have reduced

the possibility of human error and improved the efficiency of quality control by

providing automatic and detailed quality information in the common form of statistical

process control analysis charts (0002, lines 3-7, 0005, lines 1-6 and 0007, lines 22-

25).

Response to Arguments

17. The Examiner first notes that Applicant indicates that in the interview held

January 09, 2007, "The Attorney and Examiner agreed that the references cited do

not anticipate, teach or suggest correlating between the part and the quality control

data."

The Examiner asserts that a provisional agreement was only reached with

respect to the Oath, Drawing, Specification, and Claim Objections as well as the 35

U.S.C. 112, and 101 rejections. With respect to the 35 U.S.C. 102 and 103

rejections, no agreement was reached.

18. Applicant argues:

> Regarding the anticipation and obvious rejection under 102 and 103 each of
> the independent claims recites correlating product quality control measurement
> data to at least one part. None of the references taken individually or collectively
> anticipate, teach or suggest this limitation in combination with the other
> limitations, thus the references cited do not anticipate or render obvious the
> independent claims or the dependent claims depending therefrom.

The Examiner asserts that the invention of Bjornson discloses inputting

information relating to at least one part from at least one input device into the

computer system, for example, by providing means for the user to input information

relating to at least one mechanical seal. See paragraph 0068, lines 7-11, paragraph

0095, lines 1-5, and Figure 11A (i.e. types of components of products-"Type",

product code- "MfgPArt#" / "Serial Number", product characteristic information-

"Features", "Size", etc.)

Bjornson then teaches inputting product quality control measurement data from a

plurality of measurement devices, for example, by inputting valve/seal temperatures

and pressures wherein the temperatures and pressures are input from a plurality of

measurement devices corresponding to a type of test for a particular pump product

and/or auxiliary product. See paragraph 0095, lines 1-5, paragraph 0100, lines 9-18,

paragraph 0116, lines 10-14 and Figures 11A-F. See also, paragraph 0004, lines

10-13, paragraph 0073, lines 1-5, paragraph 0112, lines 14-21, paragraph 0121,

lines 6-15 for discussion of the particular pump products and auxiliary products.

Bjornson then teaches at least partially correlating the inputted product quality

control measurement data to the information relating to the at least one part by

determining and displaying the particular operating and failure conditions of the

pumps products/auxiliary products based on the associated seal information. See

paragraph 0095, lines 1-5, paragraph 0100, line 1 to paragraph 0101, line 8, and

Figures 11A-F, 12A-J, 13C, and 13G.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to

Applicant's disclosure:

U.S. Patent Application Publication No. 2003/0028268 to Eryurek et al. teaches
data sharing in a process plant.

U.S. Patent No. 7,026,929 to Wallace teaches a food information monitoring
system.

U.S. Patent Application Publication No. 2002/0116083 to Schulze teaches a
system and method for automated monitoring and assessment of fabrication facility.

U.S. Patent Application Publication No. 2002/0029222 to Key teaches a system
and method for an online jurisdiction manager.

U.S. Patent No. 5,473,950 to Peterson teaches a process plant sample collection
method.

U.S. Patent No. 6,421,571 to Spriggs et al. teaches an industrial plant asset
management system apparatus and method.

20. Applicant's amendment necessitated the new ground(s) of rejection presented in
this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not
mailed until after the end of the THREE-MONTH shortened statutory period, then the
shortened statutory period will expire on the date the advisory action is mailed, and

any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing

date of the advisory action. In no event, however, will the statutory period for reply

expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jeffrey R. West whose telephone number is

(571)272-2226. The examiner can normally be reached on Monday through Friday,

8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eliseo Ramos-Feliciano can be reached on (571)272-7925. The fax

phone number for the organization where this application or proceeding is assigned

is 571-273-8300.

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272-1000.

Jeffrey R. West
Primary Examiner
Art Unit – 2857

August 6, 2007